

ATTACHMENT E

STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE LAS COLINAS DETENTION FACILITY PROJECT JFCF-00012 SCH # 2006091036 June 24, 2009

The Findings required under the California Environmental Quality Act (“CEQA”) (Public Resources Code sections 21000 et seq.) and the CEQA Guidelines (California Code Regulations, title 14, section 15000 et seq.) supporting the approval of the Las Colinas Detention Facility project state that the County's approval of the project would result in significant impacts that cannot be substantially lessened or avoided. Despite these impacts, the Board of Supervisors chooses to approve the Las Colinas Detention Facility project on the basis that specific economic, social and other benefits of the project outweigh and override these significant and unavoidable impacts.

Each of the reasons for approval cited below is a separate and independent basis that justifies approval of the Las Colinas Detention Facility project. Thus, even if a court were to set aside any particular reason or reasons, the Board of Supervisors finds that it would stand by its determination that each reason, or any combinations of reasons, is a sufficient basis for approving the project notwithstanding the significant and unavoidable impacts that may occur. The substantial evidence supporting the various benefits can be found in the Findings Regarding Significant Effects, the Final EIR and in the Record of Proceedings.

The County finds that the Las Colinas Detention Facility project would have the following economic, social, legal and other benefits:

1. The Las Colinas Detention Facility project will remedy serious physical and operational deficiencies at the existing detention facility.

The Corrections Standards Authority's 2004-06 inspection report for San Diego County's detention system noted that LCDF was out of compliance with several requirements in California Code of Regulations, Title 24. The majority of the non-compliance issues related to substandard inmate housing due to overcrowding. Four hundred of the 810 beds at the existing detention facility do not meet State standards. Approximately one-half of the inmates at LCDF are housed in modular dormitory buildings that have outlived their life expectancy of five years. Continued use of the dormitories requires ongoing and costly

maintenance. Crowding in other housing units has resulted in the double or triple bunking of cells that were designed and rated for single or double occupancy. This overcrowding has resulted in a shortage of toilets, showers, and recreation and floor space.

Operations are also very crowded. The inmate processing building contains the central control room, inmate booking and release areas, temporary holding cells, administrative segregation cells, a property room, and the check-in area for inmate visits. This area lacks the necessary number of sobering and safety cells for the population served. Presently, sworn and professional staff members working in this building are forced to compete for limited space in order to complete their duties. Operational efficiency and the safety of staff and persons in custody are compromised by the noise, lack of ventilation, and the tight working quarters. Efficiency is also compromised by campus line-of-sight problems that require sworn staff to escort inmates, when such movements might otherwise be observed more efficiently from fixed locations with better views.

Space is severely limited in support services areas as well. Despite two remodels since 1998, the medical unit does not have adequate space for staff offices, patient treatment rooms, medical isolation (i.e., for tuberculosis and hepatitis patients), or advanced equipment such as x-ray or dialysis machines. LCDF's main kitchen is in one of the original juvenile facility buildings, and it is too small to serve the current facility.

The project would correct these deficiencies by replacing old, dilapidated, inadequate structures with modern facilities. (FEIR, pages 1-2 through 1-10 and 1-13.)

2. The Las Colinas Detention Facility project will provide the capacity needed at this facility for female inmates through 2020.

The existing detention facility has capacity for approximately 810 inmates (810 mainline beds). The Sheriff prepared an analysis that projects the average daily inmate population at the Las Colinas Detention Facility to increase to approximately 1,200 by the year 2020. The project would meet the projected needs of the County through the year 2020 for a 1,216-bed state-of-the-art multi-custody women's detention facility. (FEIR, pages 1-2, 1-6, and 1-9 through 1-13.)

3. The Las Colinas Detention Facility project will enable the Sheriff to implement an inmate management philosophy designed to reduce repeat offending and recidivism.

Space limitations at the existing facility affect the Sheriff's ability to offer programs and services, which are central to the Department's behavioral management philosophy and a critical part of the County's effort to reduce recidivism. Academic classes, vocational training, counseling and dependency/treatment programs, and an innovative visitation center that facilitates the support of family members (especially children) form the foundation of this approach. This management philosophy requires space for an expansion of services and facilities beyond what is available at the existing LCDF. The proposed project allows for a campus-style setting with limited building heights, open-air walkways, and green space. Current social-behavioral science research supports creating an environment that facilitates social interaction between female inmates, and between inmates and staff, and finds that this type of environment can reduce disciplinary incidents. The campus will have the space to accommodate a significant expansion of the programs and services currently offered to inmates. Also, the proposed project's location is close to several public transportation options; this supports inmate rehabilitation by facilitating visits from loved ones. (FEIR, pages 1-4 and 1-5, 1-8 through 1-10, 4-8, and 4-9.)

4. The location of the Las Colinas Detention Facility project will facilitate the booking of female offenders arrested throughout the County and the transporting of inmates to court facilities and medical facilities.

The location of the Las Colinas Detention Facility project will facilitate the booking process for female offenders arrested throughout the County. The project site is located close to SR-67, SR-52 and Interstate 8. The site is centrally located for many of the law enforcement agencies that use the facility and would allow law enforcement officers who bring female offenders to the facility to spend more time on patrol and less time in transit. (FEIR, pages 1-7 and 1-8, and 4-25 through 4-30.)

The site is also reasonably close to court facilities in El Cajon and downtown San Diego and to medical facilities that serve the inmates. Vehicles to transport inmates are based at the County Operations Center in Kearny Mesa and inmate trips (to and from courts and medical facilities) originate and end at the Operations Center in Kearny Mesa. Therefore, proximity to Operation Center reduces vehicle miles traveled when compared to alternative sites in Otay Mesa and Campo, thus reducing fuel and maintenance costs. (FEIR, pages 1-7 and 1-8, 1-24, and 4-29 and 4-30.)

5. The County owns the Las Colinas Detention Facility project site and will not have to spend funds to purchase another site.

The County owns the project site. By using this site, the County will not have to spend additional funds to purchase another site, such as the Otay Mesa Alternative site or the Camp Elliott Alternative site. The estimated cost to purchase the Otay Mesa Alternative site (68 acres) is \$8.5 to \$14 million. The estimated cost to purchase the Camp Elliott Alternative site (59 acres) is \$10 to \$25 million. (FEIR page 1-23, Findings Regarding Significant Effects and Board letter).

6. The Las Colinas Detention Facility project will generate new employment opportunities.

The project would generate short-term employment opportunities for construction workers and long-term employment opportunities for Sheriff's deputies and other staff who would work in the new facility after it has been built. The project would involve construction of a maximum of 512,000 square feet of new structures in two phases. Grading and construction would take approximately 48 months and would use a work force of approximately 300 workers per day during the peak construction period. Once the new facility has been completed, approximately 150 additional new employees would be required to staff the facility. (FEIR, pages 1-10 through 1-13, 1-20, 1-21, 1-30 and 2.2-7 and Errata.)